

WAC 135-110-790 Procedure for contesting elections. (1) Written complaints regarding conservation district elections shall be received by the commission using an online form no later than April 30th.

(2) Complaints will be forwarded to the executive director of the conservation commission.

(3) The executive director will notify the chair and vice chair of the conservation commission, the chair of the affected conservation district, the election supervisor of the affected conservation district, conservation commission staff assigned to that conservation district, and the commission's elections officer that a complaint has been filed with the conservation commission.

(4) The executive director will inform the chair and vice chair of the conservation commission of the estimated length of the investigation, and will provide updates on the status of the investigation, as needed.

(a) The conservation commission's elections officer will investigate the complaint. The investigation shall include personal interviews with the person filing the complaint, the conservation district board, appropriate conservation district staff, polling officer, and members of the public, as appropriate and necessary.

(b) When the investigation is completed, the conservation commission's elections officer shall make a written report to the executive director of the results of the investigation.

(5) The executive director shall review the report of the investigation and make a determination that:

(a) The complaint does not rise to the level of significant non-compliance with election procedure sufficient to warrant the noncertification of the election, as per WAC 135-110-795; or

(b) The complaint does rise to the level of significant noncompliance with election procedure sufficient to warrant the noncertification of the election, as per WAC 135-110-795.

(6) If the executive director determines that:

(a) The complaint does not rise to the level of significant non-compliance with election procedure sufficient to warrant the noncertification of the election, the executive director may recommend that the election be certified and announced by the conservation commission.

(b) The complaint does rise to the level of significant noncompliance with election procedure sufficient to warrant the noncertification of the election, the executive director may recommend that the election not be certified and announced, and request that the conservation district hold another election as per the procedure in WAC 135-110-780.

[Statutory Authority: RCW 89.08.040, 89.08.160, 89.08.190, and 89.08.200. WSR 20-19-122, § 135-110-790, filed 9/21/20, effective 10/22/20.]